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Attorneys for Defendants and Counterclaimants  
CLEER GEAR, LLC and PETER TSOU dba CLEER  
GEAR and Counterclaimant PETER TSOU

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

PEERLESS INSURANCE COMPANY,

Plaintiff,

v.

CLEER GEAR, LLC and PETER TSOU dba  
CLEER GEAR

Defendants.

Case No. C 14-00135 MMC

**JOINT STIPULATION AND ~~[PROPOSED]~~  
ORDER FOR CONTINUANCE OF  
MEDIATION DEADLINE**

C 14-00135 MMC

**JOINT STIPULATION AND ~~[PROPOSED]~~ ORDER FOR CONTINUANCE OF MEDIATION DEADLINE**

CLEER GEAR, LLC, and PETER TSOU  
INDIVIDUALLY and dba CLEER GEAR,

Counterclaimants,

v.

PEERLESS INSURANCE COMPANY,  
GOLDEN EAGLE INSURANCE, LIBERTY  
MUTUAL GROUP, IRENE HERMAN, and  
IRENE HERMAN INSURANCE SERVICES

Counterdefendants.

WHEREAS, on May 2, 2014, the Court ordered the parties to this stipulation – Plaintiff and Counterdefendant Peerless Insurance Company (“Peerless”) and Defendants and Counterclaimants Cleer Gear, LLC and Peter Tsou dba Cleer Gear and Counterclaimant Peter Tsou, individually (collectively, “Cleer Gear”) to complete mediation within 90 days – i.e., by July 31, 2014. (ECF No. 23.)

WHEREAS, Peerless and Cleer Gear scheduled a mediation for July 15, 2014.

WHEREAS, Defendant and Counterclaimant Peter Tsou has propounded written discovery on Peerless, responses to which – via extension – are not due until August 4, 2014.

WHEREAS, Counterclaimants have not effectuated service on any Counterdefendant other than Peerless.

WHEREAS, Peerless believes mediation would be more fruitful with the participation of all Counterdefendants, and believes that the not-yet-served Counterdefendants will need an adequate amount of time to prepare for such a mediation.

WHEREAS, Cleer Gear believes mediation would be more productive if Peerless’ discovery responses are served prior to the mediation.

WHEREAS, Peerless and Cleer Gear now agree to continue the mediation deadline until August 28, 2014.

WHEREAS, Peerless and Clear Gear have arranged with the mediator for a new mediation date of August 28, 2014.

1 WHEREAS, the parties are only seeking a continuance of the mediation deadline  
2 identified herein, and the requested order continuing the mediation deadline would not require  
3 the continuance of any other deadlines.

4 WHEREAS, by entering into this stipulation, Peerless and Cleer Gear do not waive any  
5 claims or defenses.

6 **STIPULATION**

7 NOW THEREFORE, it is agreed and stipulated that:

8 The mediation deadline is extended from July 31, 2014 to August 28, 2014.

9 **IT IS SO AGREED AND STIPULATED.**

10 DATED: July 31, 2014 SEDGWICK LLP

11  
12 By: /s/ James J.S. Holmes  
13 James J.S. Holmes  
14 Benjamin E. Shiftan  
Attorneys for Plaintiff and Counterdefendant  
PEERLESS INSURANCE COMPANY

15 DATED: July 31, 2014 MANNION & LOWE

16  
17 By: /s/ Demián I. Oksenendler  
18 Demián I. Oksenendler  
19 Attorneys for Defendants and Counterclaimants  
CLEER GEAR, LLC and PETER TSOU dba CLEER  
GEAR and Counterclaimant PETER TSOU

20 *Filer's Attestation: Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, James J.S.  
Holmes hereby attests that concurrence in the filing of this document has been obtained.*

21  
22 **PURSUANT TO STIPULATION, IT IS ORDERED** that:

23 The mediation deadline is extended from July 31, 2014 to August 28, 2014.

24  
25 DATED: August 1, 2014

26   
United States District Court Judge